

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA :
v. : **07CRIM. 340**
DAVID JUN HUANG, :
: INFORMATION
: 07 Cr.
Defendant. :
: **COUNT ONE**
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APR 23 2007

The United States Attorney charges:

1. From at least in or about November 2003, through and including in or about September 2005, in the Southern District of New York and elsewhere, DAVID JUN HUANG, the defendant, and others known and unknown, unlawfully, willfully and knowingly, did combine, conspire, confederate and agree together and with each other to violate Title 8, United States Code, Section 1325(c) and Title 18, United States Code, Section 1546.

2. It was a part and an object of the conspiracy that DAVID JUN HUANG, the defendant, and others known and unknown, unlawfully, willfully and knowingly, would and did enter into marriages for the purpose of evading provisions of the immigration laws, in violation of Title 8, United States Code, Section 1325(c).

3. It was a further part and object of the conspiracy that DAVID JUN HUANG, the defendant, and others known and unknown, unlawfully, willfully and knowingly, would and did make

Count 4/
4/23/07 (m)

under oath, and as permitted under penalty of perjury under Section 1746 of Title 28, United States Code, subscribe as true, false statements with respect to a material fact in an application, affidavit and other document required by the immigration laws and regulations prescribed thereunder, and would and did present such application, affidavit and other document containing such false statements and which failed to contain any reasonable basis in law and fact, in violation of Title 18, United States Code, Section 1546.

Overt Acts

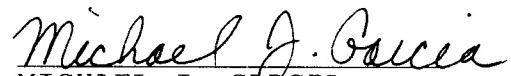
4. In furtherance of the conspiracy and to effect the illegal object thereof, the following overt acts, among others, were committed in the Southern District of New York and elsewhere:

- a. Between November 23, 2003, and December 8, 2003, DAVID JUN HUANG, the defendant, received at least \$5,000 from a co-conspirator not named as a defendant herein ("CC-1") to enter into a fraudulent marriage with another co-conspirator, a female Chinese national, not named as a defendant herein ("CC-2");
- b. On or about November 26, 2003, HUANG traveled to China;
- c. On or about December 2, 2003, HUANG entered

into a fraudulent marriage with CC-2 in Fujian Province, China;

- d. On or about December 8, 2003, HUANG returned to New York from China and,
- e. On or about January 4, 2004, the former Immigration and Naturalization Service ("INS") (now known as "U.S. Citizenship and Immigration Services") received a Petition for Alien Relative submitted by HUANG on behalf of CC-2 which was signed by HUANG and contained a representation that HUANG was married to CC-2 and had lived with CC-2 in Fujian, China.

(Title 18, United States Code, Section 371.)


MICHAEL J. GARCIA
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

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UNITED STATES

-v-

DAVID JUN HUANG

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MICHAEL J. GARCIA

United States Attorney.

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